

1 BARRY J. PORTMAN
Federal Public Defender
2 JOYCE LEAVITT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant GALAN-PALACIOS

6
7
8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 ALEJANDRO GALAN-PALACIOS,
16
17 Defendant.

)
) No. CR 07-0723 MJJ

)
) STIPULATION AND [PROPOSED]
) ORDER CONTINUING CHANGE OF
) PLEA DATE AND EXCLUSION OF
) TIME

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
19 plea date in this case, set for Thursday, January 10, 2008, at 2:00 p.m. before Honorable Judge
20 Martin Jenkins may be continued to Friday, February 1, at 2:30 p.m., in Oakland, California, for
21 change of plea. A continuance to February 1, 2008, at 2:30 p.m. will allow defense counsel to
22 complete all investigation and review it with her client in preparation for the change of plea. In
23 addition, defense counsel is unavailable on January 10, 2008. The parties stipulate that the time
24 from January 10, 2008, to February 1, 2008, should be excluded in accordance with the provisions of
25 the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and for
26

STIP. CONTINUING
CHANGE OF PLEA DATE

1 adequate preparation of counsel.

2 /S/

3 DATED: 1/08/08

4 JOYCE LEAVITT
Assistant Federal Public Defender

5 /S/

6 DATED: 1/08/08

7 BRYAN WHITTAKER
Special Assistant United States Attorney

8 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
9 "conformed" signature (/S/) within this e-filed document.

10
11 **ORDER**

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this
13 case, currently scheduled for Thursday, January 10, 2008, at 2:00 p.m. shall be continued to Friday,
14 February 1, 2008 at 2:30 p.m. in Oakland, California, for change of plea.

15 IT IS FURTHER ORDERED that the time from January 10, 2008 to February 1, 2008, should
16 be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A)
17 and (B)(iv) for adequate preparation of counsel and continuity of counsel. The Court finds that the
18 ends of justice served by the granting of the continuance outweigh the best interests of the public and
19 the defendant in a speedy and public trial and the failure to grant the requested continuance would
20 unreasonably deny the defendant's counsel the reasonable time necessary for effective preparation,
21 taking into account due diligence.

22 SO ORDERED.

23 DATED:

24 HONORABLE MARTIN J. JENKINS
United States District Judge

25 STIP. CONTINUING
26 CHANGE OF PLEA DATE